

3677



P-3952-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JOYCE BRETT
FOR: A BAND-AID APPLIED JEWELRY DISPLAY
SERIAL NO.: 10/029,818
FILED: December 31, 2001
EXAMINER: ANDREA CHOP, ART GROUP 3677

#1100(E)
E. Huns
7/16/03

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

RECEIVED
JUN 26 2003
GROUP 3600

Sir:

This is in reply to the Office Action of May 7, 2003 citing a new ground of rejection based on Vesey in view of Arginsky.

Please enter of record claim 1 amended in accordance with the instructions of the REVISED FORMAT either as distinguishing over Vesey or placing claim 1 in better condition for consideration on appeal.

Vesey is concerned with the treatment of wounds on children and, to this end, has to do with the application to lessen the apprehension children have to applied bandages, of decorating the bandage.

In contrast, applicant enhances the appearance of the user and has nothing to do with the treatment of wounds. It would be mere coincidence that applicant's decorated bandage would be applied over a wound. Stated somewhat differently, the site of use in Vesey is restricted to the site of a wound, most likely and in most instances, a scraped knee, and in applicant's use, it would be on a visible cheek or facial area, i.e., where a cosmetic is applied.

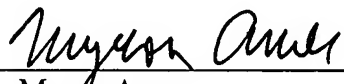
DO
NOT
ENTER
A.C.
7/22/03

Serial No. 10/029,818
Examiner: Andrea Chop
Attorney Docket No: 3952-1

For the foregoing reasons, favorable reconsideration of this application is respectfully requested.

Respectfully,

MYRON AMER, P.C.
Attorney for Applicant

By: 
Myron Amer
Reg.No. 18,650

114 Old Country Road
Suite 310
Mineola, NY 11501
(516) 742-5290
Dated: June 19, 2003